## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:12-CR-00236-F-1

No. 5:15-CV-00435-F

DAVID NEIL PHILLIPS,

Petitioner,

v.

ORDER

UNITED STATES OF AMERICA,

Respondent.

Having examined Petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED.

This 31' day of August, 2015.

MES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE